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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. 14-00296 JST
)	
Plaintiff,)	STIPULATION TO CONTINUE; PROPOSED
)	ORDER CONTINUING CASE AND EXCLUDING
v.)	TIME PURSUANT TO THE SPEEDY TRIAL ACT
)	
EDGARDO DUARTE,)	
)	
Defendant.)	
)	
)	
)	

IT IS HEREBY STIPULATED by and between the parties to this action, that the motions hearing date of July 24, 2015 presently scheduled at 2:00 p.m., before the Honorable Jon S. Tigar, be vacated and re-set for October 2, 2015, at 2:00 p.m. for a motions hearing. Motions shall be filed by August 14, 2015, opposed by September 4, 2015, and oppositions replied to by September 11, 2015.

The reason for this request is that Linda Fullerton recently substituted in as counsel for Defendant Edgardo Duarte, and this case involves three wiretaps, numerous search warrants, and significant volumes of audio recordings and transcripts. Based on the complexity, the defense requests additional time to further investigate the matter and to draft motions. The parties agree and stipulate that

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the time from July 24, 2015 until October 2, 2015 should be excluded under 18 U.S.C. § 3161(h)(7)(A) and (B), because the ends of justice served by granting the continuance outweigh the interests of the public and the defendant in a speedy trial. The continuance is necessary to allow the defense to prepare effectively, including discovery review and motions drafting, taking into account the exercise of due diligence. This stipulation applies to Mr. Duarte only.

Date: June 25, 2015

_____/s/
LINDA FULLERTON
Counsel for Defendant Edgardo Duarte

Date: June 25, 2015

_____/s/
CHINHAYI COLEMAN CADET
Assistant United States Attorney

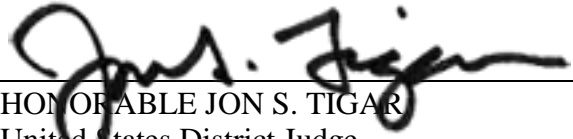
~~PROPOSED~~ ORDER

The Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial. The continuance is necessary to accommodate defense counsel's preparation efforts, including the drafting of motions in a case involving voluminous discovery, taking into account the exercise of due diligence.

Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter, as to Mr. Duarte only, be continued to October 2, 2015 at 2:00 p.m. for MOTIONS HEARING, and that time is excluded from July 24, 2015 to October 2, 2015 pursuant to 18 U.S.C. §§3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: June 28, 2015



HONORABLE JON S. TIGAR
United States District Judge